

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. **Amendment of Specification.**

During preparation of this response the Applicant discovered typographical and grammatical errors in paragraph [0031] of the specification, and has amended that paragraph to correct those errors. The Applicant apologizes for any inconvenience which those errors may have caused the Examiner.

In particular, the Applicant has inserted the term "not" into the first line so that the phrase reads "*If the power saving mode is not selected, the logic returns to block 202*" so that the language accurately describes the logic flow shown in FIG. 4. The Applicant also corrected a missing comma in the third line, and changed the word "continues" to "continue" in the last line of the paragraph.

The foregoing corrections do not introduce new matter, and the Applicant respectfully requests approval of the amended language.

2. **Rejection of Claims 1-21 under 35 U.S.C. § 112 - Enablement.**

Claims 1-21 were rejected under 35 U.S.C. § 112 as purportedly failing to comply with the requirement of enablement. The Applicant responds as follows:

(a) **Normal Mode Colors**

In the Office Action, the Examiner stated that the specification is not enabling as to what is a normal mode color.

In support of the rejection, the Examiner asserted that the specification discloses a plurality of normal mode colors and a plurality of power saving mode colors, but does not disclose the specific normal mode colors and does not disclose the color difference between each normal mode. In particular, the Examiner asked "what are the colors in each normal modes 104-110, what is the color difference between each of the normal modes 104-110?"

In response, the Applicant respectfully submits to the Examiner that specific normal mode colors and color differences are not germane to the subject matter recited in the Applicant's claims and need not be described in the specification. Under normal operation, a screen would be displaying a number of different colors, such as those based on the graphic object being displayed (e.g., background with different color foreground objects) - descriptions of which are clearly found in paragraphs [0027] and [0028] of the specification. The specific color displayed in normal mode, or the particular palette of colors from which normal mode colors are selected, is not a requirement for practicing the invention and the Examiner has not provided an explanation as to why specifying those colors would be a requirement for practicing the invention.

The Examiner also asserted that the specification discloses that a graphic memory within the processor usually stores three (Red, Green, Blue) 8-bit data per pixel, but does not disclose the specific other R, G and B colors in different normal modes. In particular the Examiner asked what colors are in normal modes 106 and 108.

In response, the Applicant notes that specific other R, G, and B colors in different normal modes is not germane to the invention as claimed and need not be described in the specification. The Red, Green and Blue colors referenced in the specification are merely illustrative of the RGB color representation system in which the intensity of multiple colors are selected such that their simultaneous presence for a given pixel produces the desired color. No particular type of color representation system is required from practicing the invention. The RGB system is used only as an example, and is one which a person having ordinary skill in the art would readily understand from FIG. 4 and its related discussion, where examples of the intensity of Red, Green and Blue are shown respectively as 0, 91, 91 for a given color being defined. Note also that another representation system, defined by hue, saturation, and luminance, is shown to the left of the RGB fields in FIG. 4. It is clear from the specification that any desired

representation system can be used to define the normal mode colors, and the Examiner has not provided an explanation as to why specifying those colors would be a requirement for practicing the invention.

(b) Power Saving Mode Colors

In the Office Action, the Examiner stated that the specification is not enabling as to what is a power saving mode color.

In support of the rejection, the Examiner asserted that the specification does not disclose the specific colors in each of the power saving modes and does not disclose the color difference between each power saving mode. In particular, the Examiner asked "what are the colors in each power saving modes 114-120, what is the color different between the power saving modes 114-120?"

In response, the Applicant respectfully submits to the Examiner that specific power saving mode colors and color differences are not germane to the subject matter recited in the Applicant's claims and need not be described in the specification. It is clear from the specification that any power saving mode color can be associated with a normal mode color, and that the only decision required is to select a power saving mode color that is intended to provide power savings as compared to the normal mode color. The specific color displayed in power saving mode, or the particular palette of colors from which power saving mode colors are selected, is not a requirement for practicing the invention and the Examiner has not provided an explanation as to why specifying those colors would be a requirement for practicing the invention.

In addition, the Examiner asserted that the specification discloses that "darker colors are preferable for power saving", but the specification does not disclose "what are the color difference between a normal mode color and a power saving mode color assigned to the normal mode color, how to assign a power saving mode color to a normal mode color, and how to save power for switching to the assigned power saving mode color?"

In response, the Applicant respectfully submits that the specification clearly explains how the use of darker colors reduce display power consumption in an OEL display, and also clearly explains the problems associated with simply reversing all the screen colors. With that explanation, one of ordinary skill in the art would readily understand how to change colors to reduce display power consumption, and the Examiner has not provided an explanation as to why specifying those colors would be a requirement for practicing the invention.

Lastly, the Examiner asserted that FIG. 4 is used to "illustrate selection of power mode color, however it is not clear what colors constitutes power savings since all colors in the color selection window can be used."

In response, the Applicant respectfully submits that it is clear from the preceding discussion that specific colors are not required to practice the invention and that color selection would be understood by the user according to any desired representation system. Furthermore, a user would recognize that lower numbers for R, G and B values (lower right of Fig. 4 and associated discussion) would result in less light output and thus power saving (as brought out in the specification), or through the use of lower luminance values (Lum:). Alternatively, the user could check the power-saving indicator described in the specification (on embodiments so equipped) to ascertain if their new set of power saving colors were providing the level of power savings they desired. Again, a description of a specific color to be displayed in power saving mode is not a requirement for practicing the invention and the Examiner has not provided an explanation as to why specifying those colors would be a requirement for practicing the invention.

(c) In view of the above, the Applicant respectfully submits that the specification is fully enabling for the invention recited in the claims, and requests that the rejection of Claims 1-21 be withdrawn.

3. Rejection of Claims 1-21 under 35 U.S.C. § 112 - Written Description.

Claims 1-21 were rejected under 35 U.S.C. § 112 as purportedly failing to comply with the written description requirement.

In the Office Action, the Examiner stated that the claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

(a) In support of the rejection, the Examiner asserted that the specification does not disclose "*said first and second power saving mode colors being different from each other and the first and second normal mode colors (claim 1).*"

The Applicant respectfully traverses the rejection, and notes that the language of Claim 1 is expressly or inherently supported by the specification. Nonetheless, the Applicant has amended Claim 1 so as not to use the "first and second" terminology, to clarify the subject matter of the invention recited in that claim, and to remove possible ambiguity.

(b) The Examiner also asserted that the specification does not disclose "*first and second normal mode colors and the first and second power saving mode colors each comprise red, blue and green components; and therein the first and second power saving mode colors are capable of having different values for each of the red, blue and green components (claim 5 and 12)*".

However, the first and second normal mode colors are clearly shown as blocks 104, 106 in FIG. 3, with first and second power saving mode colors shown as blocks 114, 116 in FIG. 3. That the above colors comprise those colors defined according to an RGB representation should be readily recognized from the specification, as well as from the RGB color designation boxes shown at the lower right side of FIG. 4, wherein a range of colors can be defined for the normal mode or power saving mode colors by inserting different values for the visual R, G and B components.

The Applicant respectfully traverses the rejection, and notes that the language of Claims 5 and 12 is expressly or inherently supported by the specification. Nonetheless, the Applicant has amended Claims 5 and 12 so as not to use the "first and second" and red, green and blue" terminology, to clarify the subject matter of the invention recited in that claim, and to remove possible ambiguity.

(c) The Examiner further asserted that the specification does not disclose *"the first and second normal mode colors and the first and second power saving mode colors each comprise hue, saturation and luminance components; wherein the hue, saturation and illumination components can be varied between each of the power saving mode colors (claims 6 and 13)"*.

Again, however, FIG. 4 clearly shows that different values for "hue, saturation and luminance components" can be entered to create various colors for defining normal mode or power saving mode colors.

The Applicant respectfully traverses the rejection, and notes that the language of Claims 6 and 13 is expressly or inherently supported by the specification. Nonetheless, the Applicant has amended Claims 6 and 13 so as not to use the "first and second" and hue, saturation and luminance terminology, to clarify the subject matter of the invention recited in that claim, and to remove possible ambiguity.

(d) The Examiner further asserted that the specification does not disclose *"providing a plurality of power saving mode colors, each power saving mode color comprising different colors (claim 8)"*.

The Applicant respectfully traverses the rejection, and notes that the language of Claim 8 is expressly or inherently supported by the specification. Nonetheless, the Applicant has amended Claim 8 to clarify the subject matter of the invention recited in that claim, and to remove possible ambiguity.

(e) Lastly, the Examiner asserted that the specification does not disclose *"wherein each of the power saving mode colors are different from each other and the normal mode colors (claim 14)"*.

The Applicant respectfully traverses the rejection, and notes that the language of Claim 14 is expressly or inherently supported by the specification. Nonetheless, the Applicant has amended Claim 14 to clarify the subject matter of the invention recited in that claim, and to remove possible ambiguity.

(f) In view of the above, the Applicant respectfully submits that the specification fully supports the claims as currently amended and requests that the rejection of Claims 1-21 be withdrawn.

4. Rejection of Claims 14-21 under 35 U.S.C. § 112 second paragraph.

Claims 14-21 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite, for the stated reason that it is not clear whether Claim 14 is a method claim or apparatus claim.

In response, the Applicant respectfully notes that Claim 14 was properly written in "Jepson" form, which is a practice encouraged by USPTO guidelines. Jepson claims have a structural preamble with method-like elements providing the differentiation over the conventional structures recited in the preamble.

Although already in a proper form, the Applicant has amended Claim 14 to recite an improvement to a "*electroluminescent display controller*", instead of a "*display*", so that the language of the preamble is more consistent with the elements recited in the body of the claim.

The Applicant also calls to the attention of the Examiner that that many displays contain embedded controllers, and that referring to a display can be reasonably understood to mean either the display in a broad sense, which contains a controller, or the display in a narrow sense as not having a controller. Accordingly, Claim 14 as amended, is intended to read on a separate controller for an EL display (or programming therein), or an EL display containing a controller.

5. Objection to the Drawings under 37 CFR 1.83(a).

In view of the amendments to the pending claims and the discussion above, the Applicant respectfully submits that no changes to the drawings are necessary. The

definition of colors are correctly represented, and the understanding of defining colors according to either RGB or HSL representations for the normal mode or power saving mode colors will be clearly understood by one of ordinary skill in the art. There is no need to convert the drawings into color drawings or to show any other representations to specific normal mode or power saving mode colors.

6. Rejection of Claims 1-3, 5, 7-10, 12, 14-17 and 19-21 under 35 U.S.C. § 103(a).

Claims 1-3, 5, 7-10, 12, 14-17 and 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Siwinski (U.S. Publ. No. 2002/0180723), in view of Hashimoto (U.S. Publ. No. 2006/0208982). Claims 1, 8 and 14 are independent.

After carefully considering the grounds for rejection, it is clear that, the combined teachings of Siwinski and Hashimoto to the invention recited in the Applicant's claims, the cited combination does not teach, suggest nor provide motivation for aspects of the claimed invention. Accordingly, the Applicant respectfully requests that the rejection of Claims 1-21 be withdrawn for the following reasons.

All Claim Limitations are Not Taught

Claims 1, 8 and 14. Because the Examiner rejected independent Claims 1, 8 and 14 as a group, the Applicant will address those claims as a group as well, except to the extent to which the Examiner addressed a specific claim in which case that specific rejection will be addressed separately.

In support of the rejection, the Examiner asserted that Siwinski discloses the use of a plurality of normal mode colors and switching to a power saving mode. The Examiner also stated that Siwinski does not disclose the use of a plurality of power saving mode colors, and combined Siwinski with Hashimoto to supply the missing teachings. However, the even when combined, the cited references do not teach all of the elements of Claims 1, 8 and 14.

Hashimoto also does not provide support for the plurality of power saving mode colors as recited in the claims. Specifically, Hashimoto teaches a new mechanism for driving different ranges of colors in different regions of the screen. This object is

described quite clearly in paragraphs [0076] - [0077], wherein it is said that *"The center display region 33 shows the full color display. The top and bottom display regions 32 and 34 show monochrome or 8-colors displays"*. And concludes by saying: *"It is thus desirable to suppress the power consumption for displaying the top and bottom display regions 32 and 34."* In paragraph [0080] Hashimoto summarizes the object of the invention as: *"In the above circumstances, the developments of a novel method of driving a liquid crystal display and of a driver circuit for driving the liquid crystal display as well as of an electronic device with the driver circuit are desirable."*

In FIG. 10 of Hashimoto a power saving mode is adapted with a low level control circuit 43 and grey scale selector 46, as described in paragraphs [0171] - [0175], which can be seen with a comparison to the prior art of FIG. 3 of Hashimoto.

In support of the rejection, it is put forth that the use of the 8-color mode of Hashimoto and its changing, such as from 6-bit red to 3-bit red, illustrate the use of the plurality of power saving mode colors. In support of this aspect of the rejection paragraphs [0170] - [0171]; Figs. 22, 23, as well as paragraphs [0351]-[0357] from Hashimoto are put forth.

However, this section of Hashimoto describes paring down the number of bits used for driving the colors from 6 bits to 3 bits, which does not comport to an "assignment" operation. First, the term "assign" connotes an active ability to determine what is assigned. Microsoft Encarta, College dictionary of 2001, describes "assign" for electronics as *"6. Place a value - to designate a value for a computer memory location corresponding to the named variable."* The definition implies the ability to select what is assigned, while the specification makes it manifest that the power saving mode colors can be selected, such as seen in FIG. 2 providing menus of colors in blocks 54, 56; FIG. 3 setting of Normal mode colors 104, 106, 108, 110 and power saving mode colors 114, 116, 118 and 120; FIG. 4 selecting or creating colors 150; as well as teachings throughout the specification. Yet Hashimoto describes only reducing the number of bits used for defining colors, such as in the recited section of [0351] - [0357], in response to

the change in a low power signal. Paragraph [0227] of Hashimoto describes switch 66-1 which performs the switch between the 6-bits to 3-bit color modes, however, there is no assignment of colors described whatsoever.

It should be noted that Hashimoto performs the switch between 6-bit and 3-bit colors within an LCD display driver circuit, there is no selection of colors, or assignment of power down mode colors to normal mode colors. In Hashimoto the colors are still received as 6-bit colors, from which 3 bits are dropped upon entering power down wherein only 8 colors are supported for each component when in power down mode. Assuredly, there is no notion of "assignment" or "color selection" in reference to the driver circuits of Hashimoto. This is not surprising as Hashimoto describes an LCD display driver and is thus at a different circuit level than Siwinski or the instant application. It should be noted that the circuits of Hashimoto do not even have access to the display memory.

These shortcomings are even more pronounced with respect to the form of the amended claims. For example, Claim 1 addresses that each power saving mode color corresponds to one or more of said normal mode colors, and also discusses a user interface by which the power saving mode colors corresponding to the normal mode colors are selected. In Claim 8, one element describes *"assigning a selected color for each power saving mode color corresponding to one or more normal mode colors"*. In this text is thus described that colors are selected for use as power saving mode colors, and that these correspond to one or more of the normal mode colors (e.g., the same power saving mode color can be assigned to multiple normal mode colors). Amended Claim 14 contains similar language relating to the selection of power saving mode colors.

From the above discussion, it is clear that when each of Claims 1, 8 and 14 is viewed as a whole, the cited combination does not teach, suggest or provide motivation or incentive for the invention recited in those claims as required by MPEP §2143.03 to support a rejection based on obviousness. Therefore, the Applicant respectfully

requests that the rejection of Claims 1, 8 and 14, as well as the claims that depend therefrom, be withdrawn and that Claims 1-21 be allowed.

Different Objects and Operating Principles

It should also be recognized that Siwinski and Hashimoto are directed to different objects and operating principles than found in the instant application.

The Siwinski reference is directed to a method of using a monochrome mode for saving power in an organic electroluminescent display. The principle of operation is shown without ambiguity in comparing the prior art of FIG. 1, with the diagram in FIG. 2, in which the blue and red color component channels are blocked, with only the green channel utilized for receiving the sum of RGB pixel data.

Siwinski discloses a method of reducing the power consumed by the display by *"converting a color digital image to be displayed on the display to a monochrome image, and displaying the monochrome image."* (see Abstract, emphasis added). This is accomplished by *"turning off the less efficient color channels,"*; for example, by turning off the signal to pixels having the color components of blue and red, and displaying the image in the channel having the most efficient channel, such as green. (see paragraph [0008]). In other words, this device switches from *"a full power, full color mode to a low power monochrome mode"*, see paragraph [0012], see also paragraph [0014]:

"This low power monochrome mode can be achieved by converting the full color RGB image to a luminance only gray scale image as described above in the digital image processor 42, and displaying that monochrome image on the green light emitting elements (only) of the OLED display 10. The inefficient red and blue light emitting elements would all be turned off, and the image would be displayed on the efficient green light emitting elements").

Thus, the power saving mode of the Siwinski device converts all colors of the RGB image to a single color, specifically green, and uses a luminance only gray scale to differentiate features (e.g., text from background) in the image. This is further evidenced in paragraphs [0011] - [0012] and Equation (1), which describes converting a color image to a monochrome image by producing a *"gray scale luminance value"* as a

function of the weighted amounts of red, green and blue in the original image. FIG. 2 of Siwinski further illustrates this conversion, as the signal to the red and blue pixels are crossed out, showing only one color channel (green) being displayed in the power saving mode.

Hashimoto is not directed to the control of electroluminescent displays, but of the control of color liquid crystal displays by reducing the number of available colors over the whole display or in regions to reduce power consumption. This object of Hashimoto can be seen in FIG. 23 wherein different areas of the display can be set for either full-color or 8-color modes of operation. The use of the color and reduced-color regions is known according to Hashimoto, wherein the reference describes an improvement to the LCD driving mechanism, which is clearly detailed in paragraphs [0076] and [0077].

In contrast to the combination of Siwinski and Hashimoto, the apparatus and methods of the instant application, as recited in the rejected claims, are directed to switching or converting a plurality of selected normal mode colors to a plurality of power saving mode colors. See FIG. 3 and associated text in paragraphs [0025] to [0027]. This is an important aspect of the invention, as it allows for the display to maintain the contrast, clarity, and aesthetic features that a 3-color component (e.g., RGB) image provides as opposed to a monochrome image. This feature is recited in the rejected claims and clearly described throughout the specification. For example, paragraphs [0010]-[0013] and FIGs. 2, 4, and 5 also describe use of multiple power saving mode colors.

As can be seen from the foregoing, the cited references are directed to different objects and operating principles than one another, and further do not suggest or provide motivation or incentive for the invention recited in the Applicant's claims. Therefore, the Applicant respectfully submits that Claims 1, 8 and 14 (as well as the claims that depend therefrom) are not obvious in view of the cited combination, and requests that Claims 1-21 be allowed.

Lack of Specificity of Suggestion to Modify & Impossible to Combine

The Siwinski and Hashimoto references are directed to different objects and operating principles as discussed earlier. In addition, these cited references operate at different levels for different types of displays. Siwinski as seen in FIG. 1 and FIG. 2 of that reference illustrates operating on the output of pixel memory, wherein these are summed in summer 30 prior to receipt within EL display 10. Hashimoto, by contrast, is directed to an LCD driver mechanism that is internal to the display itself well after the receipt of the display driving signal.

The Examiner provides no specific fact-finding as to how the circuit of Siwinski would be combined with that of Hashimoto to yield a system consonant with the claimed invention. How, for example, would the single color being received by display 10 in FIG. 2 of Siwinski be modified in the driver circuit of Hashimoto to control multiple color output?

It is well founded that specific evidence for making a proposed combination is required. For example, referring to the outcome of appeal No. 2000-1201 for Application No. 08/817,825 (Page 6 - 7).

"The range of sources available, however, does not diminish the requirement for actual evidence. That is, the showing must be clear and particular. *See, e.g., C.R. Bard*, 157 F.3d at 1352, 48 USPQ2d at 1232. **Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'**" *Id.* at 999, 50 USPQ2d at 1617 (citing *McElmurry v. Arkansas Power & Light Co.*, 995 F.2d 1576, 1578, 27 USPQ2d 1129, 1131 (Fed. Cir. 1993); *In re Sichert*, 566 F.2d 1154, 1164, 196 USPQ 209, 217 (CCPA 1977)). (*emphasis added*)

In view of the different types of circuitry being described, the Applicant asserts that it is impossible to combine these two references in the manner required to support the rejection. (See MPEP § 706.02(j)).

Two other related problems arise with the rejection. First, the cited references are directed to contrasting principles of operation, and combining the teachings of the

references would necessitate changing their principles of operation. In addition, since these references describe different principles of operation, even at different circuit levels, their attempted combination would render the prior art unsatisfactory for its intended purpose. See, MPEP §2143.01.

Therefore, the Applicant respectfully submits that Claims 1, 8 and 14 (as well as the claims that depend therefrom) are not obvious in view of the cited combination, and requests that Claims 1-21 be allowed.

Additional Shortcomings of Rejection

Claims 2, 10 and 17. Dependent Claims 2, 10 and 17 are directed to the use of reversing the color for normal mode colors which do not have a corresponding power saving mode color. Although these dependent claims should be considered *a fortiori* allowable in view of the patentability of their respective base claims, they provide additional patentable aspects which have not been properly considered.

The above claims were rejected on the basis of the reverse color mode of Siwinski.

However, Siwinski only provides for the reverse color mode for the whole screen and does not provide a selective use as described in this claim for only those normal mode colors for which a power saving color mode is not represented.

Therefore, Claims 2, 10 and 17 should be considered *a fortiori* allowable while also providing additional patentable grounds which are not taught, suggested or motivated by the cited references.

Claims 3, 9 and 15-16. Dependent Claims 9 and 16 are directed to the assignment of power saving mode colors. Claims 3 and 15 were amended to recite a different aspect of the invention.

Although the above dependent claims should be considered *a fortiori* allowable in view of the patentability of their respective base claims, they provide additional patentable aspects which have not been considered.

Claims 9 and 16. The Examiner asserts that Hashimoto teaches the assignment of the power saving mode colors in the change of 6-bit color to 3-bit color when going into power saving mode.

As discussed in relation to the other claims, Hashimoto does not describe an assignment process, but only a restriction process wherein the number of bits are automatically cut down. It should be recognized that such as restriction retains the same colors but limits the numbers of shades available in that color. There is no per color selection and thus no assignment.

Dependent Claims 9 and 16 also describes interfacing with a user to assign the colors, another aspect which is clearly absent from the teachings of Hashimoto.

Claims 3 and 15. Amended dependent Claims 3 and 15 have been directed to the use of normal mode colors corresponding to particular graphic objects. This is an aspect taught by neither of the cited references.

Accordingly, dependent Claims 3, 9 and 15-16 are patentable over the cited references of Siwinski and Hashimoto, either separately or in combination.

Claims 5, 7, 12 and 19-21.

The above dependent claims should be considered *a fortiori* allowable in view of the patentability of their respective base claims.

Therefore, the rejection of independent Claims 1, 8 and 14, as well as the claims that depend therefrom (2-3, 5, 7, 9-10, 12, 15-17 and 19-21), should be withdrawn.

7. Rejection of Claims 4, 11 and 18 under 35 U.S.C. § 103(a).

The Examiner rejected Claims 4, 11, and 18 as being unpatentable over Siwinski and Hashimoto and further in view of Kimoto et al. (U.S. No. 6,054,981).

The above claims are dependent claims, based on Claims 1, 8 and 14, respectively, which has been demonstrated by the above discussion as being patentable. Therefore, those claims are *a fortiori* allowable in view of the traversal of the rejection of the associated independent claims.

Furthermore, the Applicant notes that the Examiner has not established *prima facie* obviousness under 35 U.S.C. §103(a) and M.P.E.P. §§2142-2143. First, the Examiner has not established that the prior art references, alone or in combination, teach or suggest all of the claim limitations. M.P.E.P. §§2143.02; *In re Royka*, 180 U.S.P.Q 580 (CCPA 1974).

The Applicant has not been able to find even a remote teaching or suggestion in either of the Siwinski or Kimoto et al. references for a power saving indicator showing the reduction in energy consumed by the display when in the power saving display mode, as recited in Claims 4, 11, and 18. Furthermore, such an indicator would not even be of value in those references, since the user is unable to assign power saving mode colors to thus control the level of power consumption.

As indicated by the Examiner in the Office Action, Siwinski fails to disclose a "power saving indicator." It should be noted that the "power saving indicator 34" of Kimoto et al. merely describes an LED that flashes between green and orange color (see FIG. 2). Therefore, the indicator of Kimoto is incapable of illustrating amounts of power reduction only that the display is in a power saving mode, and thus does not comport to showing a reduction in energy consumed by the display. Specifically, the indicator in Kimoto as shown in FIG. 3 and described in col. 4, lines 46-48, only shows the power mode the device is in, not reduction in energy consumed by the display when in such a mode.

In addition to the above, Claims 4, 11, and 18 also recite additional elements not taught or suggested in either of the cited art references. For example claim 4 recites a power saving indicator configured to appear on the display. Since the indicator of Kimoto et al. is a separate LED, it is not shown on the display.

Second, no suggestion or motivation, either in the cited references or in the knowledge generally available to one of ordinary skill in the art, has been provided by the Examiner for the proposed combination of the reference teachings so as to produce the claimed invention. See, M.P.E.P. §§2143.01; *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed.

Cir. 1988). A person skilled in the art would not be motivated to include the LED power mode indicator of Kimoto et al. with the device of Siwinski, because it would be readily apparent to the user of the Siwinski device that a power saving mode was being used as the screen would revert from a full color screen to a monochromatic screen (e.g., green) as an obvious and perceptible indicator in itself of the present "power mode."

Therefore, Applicant respectfully requests that the rejection of Claims 4, 11 and 18 be withdrawn.

8. Rejection of Claims 6 and 13 under 35 U.S.C. § 103(a).

The Examiner rejected Claims 6 and 13 as being unpatentable over Siwinski and Hashimoto and further in view of Beaudoin et al. (U.S. No. 2004/0160447).

The above claims are dependent claims, based on Claims 1 and 8 14, respectively, which has been demonstrated by the above discussion as being patentable. Therefore, those claims are *a fortiori* allowable in view of the traversal of the rejection of the associated independent claims.

9. Amendment of Claims 1-21.

The Applicant has amended Claims 1-21 as follows, and respectfully submits that none of these amendments introduces new matter.

Claim 1. Independent Claim 1 was amended as discussed above in view of the rejection under 35 U.S.C. § 112.

The processor has been further defined as being "*configured for controlling the operation of an electroluminescent display*", and "*a memory for said processor, said memory configured for storing color data for each of a plurality of display pixels*". These amendments clarify the relationship between the pixels and the mode colors described later in the claim. Support for these amendments can be found in the specification, including paragraphs [0022], [0023], and [0032].

A “*user interface*” is now recited in Claim 1 for performing user selection of power saving mode colors corresponding to the normal mode colors. Support can be found in the specification at paragraphs [0022], [0026], and so forth.

To comport with the teachings of the processor and memory, the claim was also amended to include the operation of “*programming retained in said memory and executable on said processor*”. Support for the programming can be found in the specification, including paragraphs [0022], [0023] and so forth.

The paragraph describing the switching of normal mode color was amended into a simpler description of “*determining whether the apparatus is in normal mode or power saving mode*”, and “*outputting color data for each display pixel, within said plurality of display pixels, from said normal mode colors when said apparatus is in normal mode, or from said power-saving mode colors when said apparatus is in power-saving mode*”. Support for the “determining” aspect is found in the specification, such as at paragraphs [0030] and [0031], while the other was recited in the original claim as well as throughout the specification, such as paragraph [0032].

Claim 2. Dependent Claim 2 has been amended to recite the reversing of the output color, as was previously recited in original Claims 10 and 17, and as recited in the specification, such as at paragraph [0028].

Claims 3-4, 10-11, and 16-18. The dependency of these claims has been amended.

Claims 3 and 15. Dependent Claims 3 and 15 have been amended to recite that normal mode colors correspond to particular graphic objects configured for being displayed on the display. Support for this aspect is found in the specification, such as at paragraphs [0026] and [0027].

Claim 5. Dependent Claim 5 has been amended to replace the description of red, green and blue components with a more generalized recitation of “*intensity values*” for each of “*multiple color components*”. The wording is amended to better fit in with the

wording of the parent claims. Support can be found in the drawings, such as in the lower right corner of FIG. 4, as well as in the specification.

Claim 6. Dependent Claim 6 has been amended to simplify the description of hue, saturation and luminance, as shown in the lower right portion of FIG. 4 of the drawings and to tie in with the wording of the base/intervening claims.

Claim 8. Dependent Claim 8 has been amended to recite a controller for an EL display instead of an EL display. In addition, the power saving mode colors are also described as being for output on said display. The assigning step is amended to explicitly recite selecting colors for each power saving mode color corresponding to one or more normal mode colors. Support can be found in the specification, such as at paragraphs [0024] and [0032].

The switching aspect was amended to recite that it takes place *"in response to entering a power saving mode"*. Support can be found in original Claim 1, as well as throughout the specification, including paragraphs [0030], [0031], and so forth.

Claim 9. Dependent Claim 9 has been amended to recite *"interfacing"* with a user, instead of *"allowing"* a user to perform a task, a change made toward improving clarity of description. The word *"interfacing"* is described with respect to amended Claim 1 above.

Claims 10-11. Dependent Claims 10-11 have been amended to simplify structure.

Claim 12. Dependent Claim 12 has been amended to recite the use of *"intensity values for each of multiple color components"* to replace the less concise explanation of the red, green and blue colors. As in Claim 5 above, support is found in the drawings, such as in the lower right corner of FIG. 4, as well as in the specification.

Claim 13. Dependent Claim 13 has been amended to simplify the recitation of hue, saturation and luminance components.

Claim 14. Independent Claim 14 has been amended to recite an *"electroluminescent display controller"*, instead of the *"electroluminescent display"*,

which is more in keeping with the elements recited in the claim (regardless of whether the controller is within a display or is separate from the display).

Similar to Claim 8, the claim describes assigning "a *selected color*" the power saving mode colors, and that these are "corresponding to one or more of said normal mode colors toward saving display power when outputting said power saving mode colors instead of said normal mode colors". These changes are directed at improving readability. Although in keeping with the original claim, support can be found in the specification, such as at paragraphs [0008], [0010], [0012], [0013] and so forth.

The last element of the claim was amended for clarity to positively recite "*switching, by said controller*" which is in keeping with the original claim.

Claims 15-21. The preambles of dependent Claims 15-21 were amended to be consistent with the amended preamble of independent Claim 14.

Claim 16. Dependent Claim 16 has been amended to recite that the user assignment of colors "*by interfacing with the electroluminescent display controller*". Support for this aspect can be found throughout the specification, such as at paragraphs [0022], [0026] and so forth.

Claim 17. Dependent Claim 17 has been amended to clarify the language, such as indicating that the color is reversed "when the display is operating in the power saving display mode". This was inherent before and is not explicitly stated.

Claim 18. Dependent Claim 18 has been amended to clarify the language and to explicitly state that the switch is made "*to the power saving mode colors from the normal mode colors*".

10. Amendments Made Without Prejudice or Estoppel.

Notwithstanding the amendments made and accompanying traversing remarks provided above, Applicant does not acquiesce in the original grounds for rejection with respect to the original form of these claims. These amendments have been made without any prejudice, waiver, or estoppel, and without forfeiture or dedication to the public, with respect to the original subject matter of the claims as originally filed or in

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their form immediately preceding these amendments. Applicant reserves the right to pursue the original scope of these claims in the future, such as through continuation practice for example.

11. Conclusion.

Based on the foregoing, Applicant respectfully requests that the various grounds for rejection in the Office Action be reconsidered and withdrawn with respect to the arguments presented herein and the present form of the claims.

In the event any further matters remain at issue with respect to the present Application, Applicant respectfully requests that the Examiner please contact the undersigned below at the telephone number indicated in order to discuss such matter prior to the next action on the merits of this Application.

Dated: 02/14/2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John P. O'Banion". The signature is fluid and cursive, with the first name "John" and last name "O'Banion" clearly distinguishable.

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